

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DAVON LYMON,

Plaintiff,

vs.

No. CIV 08-0386 JB/DJS

ARAMARK CORPORATION, JOSEPH NEUBAUER,
CHARLIE CARRIZALES, BERTHA BENAVIDEZ,
JOHN SANCHEZ IN HIS OFFICIAL CAPACITY
AND INDIVIDUAL CAPACITY, ABNER HERNANDEZ,
IN HIS OFFICIAL AND INDIVIDUAL CAPACITY,
JOE WILLIAMS as SECRETARY
OF THE NEW MEXICO DEPARTMENT
OF CORRECTIONS IN HIS INDIVIDUAL
AND OFFICIAL CAPACITY, and the NEW MEXICO
DEPARTMENT OF CORRECTIONS,

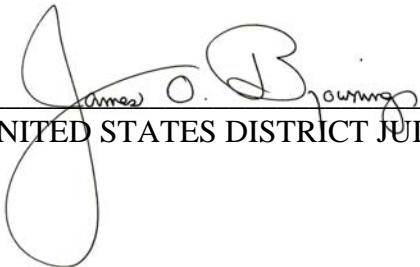
Defendants.

ORDER

THIS MATTER comes before the Court on Plaintiff Davon Lymon's Motion for Reconsideration of the Court's Denial of his Opposed Motion to File a Second Amended Complaint Adding Wexford Corporation as a Defendant, filed July 24, 2009 (Doc. 47). The Court held a hearing on December 3, 2009. The primary issues is whether the Court should grant Lymon permission to file a second amended complaint adding Wexford Corporation as a defendant and adding a new claim asserted against Wexford Corporation. For the reasons stated on the record and for other reasons consistent with those already stated, the Court will grant Lymon's motion and allow him to file a second amended complaint adding Wexford Corporation as a defendant and asserting a new claim against Wexford Corporation.

IT IS ORDERED that Plaintiff Davon Lymon's Motion for Reconsideration of the Court's

Denial of his Opposed Motion to File a Second Amended Complaint Adding Wexford Corporation as a Defendant is granted. Plaintiff Davon Lymon may file his Second Amended Complaint adding Wexford Corporation as a defendant and adding a new claim asserted against Wexford Corporation.



UNITED STATES DISTRICT JUDGE

Counsel:

Solomon Brown
Albuquerque, New Mexico

Attorney for the Plaintiff

Theresa W. Parrish
Rodey, Dickason, Sloan, Akin & Robb, P.A.
Albuquerque, New Mexico

*Attorneys for Defendants Aramark Correctional
Services, LLC, Joseph Neubauer, and
Charlie Carrizales*

Sean Olivas
Javier F Junco
Keleher & McLeod, P.A.
Albuquerque, New Mexico

*Attorneys for Defendants John Sanchez,
Abner Hernandez, Joe Williams, and
New Mexico Department of Corrections*